REMARKS

In the present amendment, claims 23, 33, 34, 38, and 39 have been amended and claims 24, 25, and 27 have been cancelled. Accordingly, claims 23, 26, and 28-43 are pending in the present application with claims 23, 34, and 39 being the independent claims. Reconsideration and allowance of pending claims 23, 26, and 28-43 in view of the amendments and the following remarks are respectfully requested.

A.   Rejection of Claim 23 Under 35 U.S.C. 103

In the Office Action, claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,524,169 ("Cohen") in view of US Patent No. 6,314,402 Monaco ("Monaco"). Amended claim 23 is patentable over Cohen in view of Monaco because the prior art references do not teach all of the claim limitations. Claims 26 and 28-33 are also patentable over Cohen in view of Monaco at least because they are dependent on claim 23.

For example, claim 23 includes limitations for "capturing an utterance of a speaker," and then "determining a coordinate location of a mobile device communicating over the communication network using the captured utterance," and building a dynamic grammar "while the mobile device is communicating on the communication network." These limitations are not taught or suggested by the cited references.

Cohen describes location specific libraries of speech templates. (Cohen, Figure 2). Cohen determines which of the speech templates to access by using a "device" or system that determines a geographic location. (Cohen, column 4, Lines 5-6). The "device" or system in Cohen includes, for example, a global positioning system (GPS), a cellular phone network, or a cellular transmission tower. (Cohen, column 4, Lines 6-10).

Monaco describes a grammar that is "created programmatically at runtime and then used directly for recognition." (Monaco, Columns 10-11, Lines 65-66 and 1). For example, Monaco might use an individual's personal dialing list to insert additional names or phone numbers into the existing grammar at runtime. (Monaco, Column 10, Lines 1-5).

Because Cohen uses GPS or another system or device to pinpoint a user's initial location, it does not teach the limitations of "capturing an utterance" and determining the location of the device "using the captured utterance" as is presently claimed. Moreover, the location specific libraries of speech templates are not dynamic grammars as they are pre-built and stored. Cohen merely accesses a pre-built one of the speech templates based upon the results of the GPS, for example. (Cohen, Column 4, Lines 58-67). Therefore, Cohen does not build a dynamic grammar at all, nor does it "capture an utterance" for the purpose of "determining a coordinate location."

Monaco is not a location based invention and as such has no teaching toward determining a coordinate location of a mobile device, nor toward determining that coordinate location using a captured utterance. Moreover, Monaco provides the example of inserting a "personal dialing list" into a grammar at runtime. Thus, Monaco is not location based and the fact that it inserts a personal dialing list shows that Monaco does not 1) build a dynamic grammar responsive to a determined coordinate location of a mobile device, or 2) build a dynamic grammar while the mobile device is communicating on the communication network, because inserting a personal dialing list is of no use once the device is communicating over the communication network because, presumably, the number has already been dialed and answered.

Unlike Cohen or Monaco, the present claim is capable of building a small grammar, on-the-fly, based upon information as the system receives it, (such as capturing an utterance and determining a coordinate location based upon the utterance). As such, the present claimed

method can provide a smaller grammar while the mobile device is in communication over a communication network, without dealing with large databases of information as in Cohen and Monaco, which saves significant storage space and computational time. The claimed method can also provide a more precise grammar, which improves results.

Therefore, the present combination of the references does not yield all the limitations of amended claim 23 and its respective dependent claims. For at least this reason, Applicant requests that the rejection of claim 23 (and its respective dependent claims) be withdrawn.

B.   Rejection of Claim 39 Under 35 U.S.C. 103

In the Office Action, claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen in view of Monaco and in further view of US Patent No. 7,036,128 ("Julia"). Amended claim 39 is patentable over Cohen in view of Monaco and Julia because the prior art references do not teach all of the claim limitations. Claims 40-43 are also patentable over Cohen in view of Monaco and Julia at least because they are dependent on claim 39.

For example, claim 39 includes limitations for "capturing an utterance of a speaker," and then "determining a location of a mobile device communicating over the communication network using the captured utterance," and "building a dynamic grammar in response to the determined location of the mobile device using the subset of records while the mobile device is communicating on the communication network." These limitations are not taught or suggested by the cited references.

As previously stated in sub-section A, neither Cohen nor Monaco teach or suggest these limitations. Moreover, Julia does not teach these limitations either. Julia describes a mobile

computing environment. In Julia, a "multimodal map" can use "GPS information to plan a route." (Julia, Column 34, Lines 10-67).

Julia has been cited for the use of a "prompt" as in claim 39. Applicant does not believe that Julia teaches the use of the claimed prompt. Even if Julia does teach a prompt it does not, alone or in combination with Cohen or Monaco, teach determining a location of a mobile device communicating over a communication network using a captured utterance.

As in Cohen, the multimodal map of Julia is based on using a device or other position sensing system to determine the initial coordinate location of the user. As such, Julia does not cure the defects of Cohen and Monaco with respect to lacking a teaching of all of the elements of claim 39, since Julia provides the multimodal map via GPS, not a coordinate location determined by "capturing an utterance."

Therefore, the present combination of the references does not yield all the limitations of amended claim 39 and its respective dependent claims. For at least this reason, Applicant requests that the rejection of claim 39 (and its respective dependent claims) be withdrawn.

C.   Rejection of Claim 34 Under 35 U.S.C. 103

In the Office Action, claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen in view of Monaco. Amended claim 34 is patentable over Cohen in view of Monaco because the prior art references do not teach all of the claim limitations. Claims 35-38 are also patentable over Cohen in view of Monaco at least because they are dependent on claim 34.

For example, claim 34 includes limitations for "identifying a subset of records by determining which subset of records correspond to a pre-defined area around the location," and

"building a dynamic grammar" based on the identified subset of records. These limitations are not taught or suggested by the cited references.

Cohen describes location specific libraries of speech templates. (Cohen, Figure 2). Cohen determines which of the speech templates to access by using a "device" or system that determines a geographic location. (Cohen, column 4, Lines 5-6). The "device" or system in Cohen includes, for example, a global positioning system (GPS), a cellular phone network, or a cellular transmission tower. (Cohen, column 4, Lines 6-10).

Monaco describes a grammar that is "created programmatically at runtime and then used directly for recognition." (Monaco, Columns 10-11, Lines 65-66 and 1). For example, Monaco might use an individual's personal dialing list to insert additional names or phone numbers into the existing grammar at runtime. (Monaco, Column 10, Lines 1-5).

Cohen does not teach dynamic grammars at all, but teaches location specific libraries of speech templates. (Cohen, Figure 2). Thus, Cohen does not teach the limitations of building a dynamic grammar. Moreover, Cohen selects its location specific libraries of speech templates by periodically querying the GPS coordinates of the user's mobile device. (Cohen, Abstract). Therefore, Cohen does not select a grammar that corresponds to locations that are less than an "application specific distance" from the location, it merely chooses "a particular one of the location specific libraries of speech templates . . . for the current location." (Cohen, Abstract).

Monaco is directed to one of two types of grammars. A first type is generated by inserting or extending existing grammars, for example, by building "grammars that are created through a text or voice interface and then inserted at a fixed location in an existing grammar at runtime." (Monaco, Column 10, Lines 64-66). The second type of grammar in Monaco is

"created programmatically at runtime and then used directly for recognition." (Monaco, Columns 10-11, Lines 65-66 and 1).

For example, Monaco might use an individual's personal dialing list to insert additional names or phone numbers into the existing grammar at runtime. (Monaco, Column 10, Lines 1-5). Monaco is not a location based invention and as such, even if Monaco includes a dynamic grammar, the building of the dynamic grammar is not based upon a calculation associated with a "predefined area" around a location, nor the selection of records that fall within the "predefined area."

Therefore, the present combination of the references does not yield all the limitations of amended claim 34 and its respective dependent claims. For at least this reason, Applicant requests that the rejection of claim 34 (and its respective dependent claims) be withdrawn.

CONCLUSION

The Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. In light of the above remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

Respectfully submitted,

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Dated: July 13, 2007   By: _____

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